

N2659

Presentment Date: September 7, 2000
Time: 12: 00 noon

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

RANDALL'S ISLAND FAMILY
GOLF CENTERS, INC., et al.

Chapter 11
Case Nos. 00-41065 (smb)
through 00-41188 (smb)
(Jointly Administered)

Debtors.

-----X

**LIMITED OBJECTION OF IN TOWNE SHOPPING CENTERS, INC. TO DEBTOR'S
MOTION FOR AN ORDER PURSUANT TO SECTION 365 AUTHORIZING
DEBTORS-IN-POSSESSION TO REJECT
A NONRESIDENTIAL REAL PROPERTY LEASE**

**TO: THE HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE**

The objection of **IN TOWNE SHOPPING CENTERS, INC. ("IN TOWNE")** to
the motion of the debtor presenting an order pursuant to Section 365 of the Bankruptcy
Code is as follows:

1. The Debtors filed respective petitions for relief under the Bankruptcy Code
on May 4, 2000.
2. IN TOWNE is a landlord of debtor LAKE GROVE FAMILY GOLF
CENTERS, INC. ("Debtor") for the site known as Rocky Point Bowl located at 346 Route
25A, Rocky Point, New York 11778, referred to as "Site No. NY23".

3. Debtor has moved this Court for an Order rejecting its lease with IN TOWNE by motion dated August 25, 2000.

4. IN TOWNE does not object to the rejection of the lease by the Debtor, but only to the form of the Order presented.

5. Specifically, IN TOWNE proposes that the Order be modified as follows:

(a) The Order should reflect that the Debtors have closed the business in the Premises and vacated the Premises;

(b) The paragraph stating that the Order is “without prejudice to the Debtors’ right to seek reimbursement from the landlord for the Rocky Point Lease in the event that the Debtors have overpaid any of their rental obligations under the terms of the lease” should be stricken;

(c) The Creditor should be allowed at least a six month period in which to file its proof of claim relating to rejection damages; and

(d) The rejection of the lease and the parties’ rights should be stated in clearer, less ambiguous terms, as follows: “ORDERED that the Lease is rejected as of the Effective Date, and the Landlord with respect to the Rocky Point Lease shall be, and hereby is, authorized to take possession thereof and of all improvements therein and to relet such premises as of the Effective Date.”

6. A copy of the proposed modified order accompanies this Objection.

WHEREFORE, IN TOWNE respectfully does not object to the rejection of the Lease, provided that the Order be modified as set forth herein; and requests such other and further relief as the Court may deem just and proper.

Dated: Great Neck, New York
August 31, 2000

/S/ LARA P. EMOUNA
LARA P. EMOUNA (LE6950)
GLEICH, SIEGEL & FARKAS
Attorneys for
IN TOWNE SHOPPING CENTERS, INC.
36 South Station Plaza
Great Neck, New York 11021
(516)482-4436

TO: Fried, Frank, Harris, Shriver & Jacobson
Counsel for Debtors
One New York Plaza
New York, New York 10004
Attn: Gerald C. Bender, Esq.

Berlack, Israels & Liberman LLP
Counsel for the Official Committee of Unsecured Creditors
120 West 45th Street
New York, NY 10036
Attn: Edward S. Weisfelner, Esq.

Morgan, Lewis & Bockius
Counsel for Chase Manhattan Bank
101 Park Avenue, 40th Floor
New York, New York 10178
Attn: Richard S. Toder, Esq.

Office of the United States Trustee
33 Whitehall Street
New York, New York 10004
Attn: Brain Masumoto, Esq.

N2662

Hearing Date: September 7, 2000
12:00 p.m.

N1953

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Chapter 11

-----X Case Nos. 00-41065 (smb)
In re: through 00-41188 (smb)
(Jointly Administered)

RANDALL'S ISLAND FAMILY
GOLF CENTERS, INC., et al.

AFFIDAVIT OF SERVICE

Debtors.

-----X

STATE OF NEW YORK)
 : ss.:
COUNTY OF NASSAU)

MARTIN SANDS, being duly sworn, deposes and says:

I am not a party to the action, am over the age of eighteen years and reside at Plainview, New York.

On August 31, 2000, I served the LIMITED OBJECTION OF IN TOWNE SHOPPING CENTERS, INC. TO DEBTORS' MOTION FOR AN ORDER PURSUANT TO SECTION 365 AUTHORIZING DEBTORS-IN-POSSESSION TO REJECT A NONRESIDENTIAL REAL PROPERTY LEASE on:

VIA EXPRESS MAIL

Fried, Frank, Harris, Shriver & Jacobson
One New York Plaza
New York, New York 10004
Attn: Gerald C. Bender, Esq.

Honorable Stuart M. Bernstein
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, New York 10004-1408

Berlack, Israels & Liberman LLP
120 West 45th Street
New York, NY 10036
Attn: Edward S. Weisfelner, Esq.

Clerk of the Court
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, New York 10004-1408

Morgan, Lewis & Bockius
Counsel for Chase Manhattan Bank
101 Park Avenue, 40th Floor
New York, New York 10178
Attn: Richard S. Toder, Esq.

Office of the United States Trustee
33 Whitehall Street
New York, New York 10004
Attn: Brain Masumoto, Esq.

/S/ MARTIN SANDS

Martin Sands

Sworn to before me this
31st day of August, 2000

/S/ LARA P. EMOUNA

NOTARY PUBLIC

Lara P. Emouna
Notary Public, State of New York
No. 02EM6011558
Qualified in Nassau County
Commission Expires August 10, 2002